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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,497	10/07/2003	Tetsuyoshi Inoue	204552030200	8843

7590

09/16/2005

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EXAMINER

UNELUS, ERNEST

ART UNIT

PAPER NUMBER

2828

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary	Application No. 10/679,497	Applicant(s) INOUE, TETSUYOSHI	
	Examiner Ernest Unelus	Art Unit 2828	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/07/2003</u> , <u>3/1/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Tajiri (5,727,009).

With respect to claim 1, Tajiri discloses a semiconductor laser element (58) disposed inside the insulative frame (54), the semiconductor laser element emitting laser light in a plane direction; a reflection grating (59) disposed inside the insulative frame, the reflection mirror reflecting the laser light in an upper direction; a light acceptance unit (60) for signal detecting disposed inside the insulative frame, the light acceptance unit detecting signal of incident laser light; and a plurality of leads (53) fixed in the end walls opposed to each other in the longitudinal direction of the insulative frame, plurality of leads extending in a horizontal direction; wherein the insulative frame is made of liquid chemical compound (col. 21, lines 4-67) see figure 21.

With respect to claim 2, Tajiri discloses a semiconductor laser device as claimed above wherein one end of each the leads protrudes inside the end walls and wherein

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openings are formed above and beneath the end of each of the leads on the upper and lower surfaces of the insulative frame (see figure 21).

With respect to claim 3, Tajiri discloses a semiconductor laser device as claimed above wherein thick portions are formed on both side walls extending a longitudinal direction the insulative frame (see figure 21).

With respect to claim 4, Tajiri discloses a semiconductor laser device as claimed above wherein the reflection grating (59) is mounted using UV resin (col. 22, lines 49-55).

With respect to claim 5, Tajiri discloses, a semiconductor laser device (58) as claimed above wherein the light acceptance unit (60) for signal detecting comprises two light acceptance units, (60a and 60b) (col. 24, lines 5-9).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Seong (US Pat. 6,587,481) discloses a light emitting module. However, Seong (US pat. 6,587,481) fails to disclose a plurality of leads fixed in the end walls opposed to each other in the longitudinal direction of the insulative frame are accommodated within a common package.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernest Unelus whose telephone number is 571-272-


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0218. The examiner can normally be reached on 9:00am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Minsun Harvey can be reached on 571-272-1835. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E.U


ZANDRA V. SMITH
PRIMARY EXAMINER